

APPROVED  
20-2006

Rockville, Maryland  
August 24, 2006

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Thursday, August 24, 2006, at 11:20 a.m.

Present:                   Dr. Charles Haughey, President  
                                  in the Chair  
                                  Mr. Steve Abrams  
                                  Ms. Valerie Ervin  
                                  Mrs. Nancy Navarro  
                                  Mrs. Patricia O'Neill  
                                  Ms. Sarah Horvitz, Student Board Member  
                                  Dr. Jerry Weast, Secretary/Treasurer

Absent:                    Ms. Sharon W. Cox  
                                  Mr. Gabriel Romero

# or ( ) indicates student vote does not count. Four votes needed for adoption.

RESOLUTION NO. 390-06Re:    **RESOLUTION FOR CLOSED SESSIONS**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted unanimously by members present:

WHEREAS, The Board of Education of Montgomery County is authorized by the *Education Article* and *State Government Article* of the *Annotated Code of Maryland* to conduct certain meetings or portions of its meetings in closed sessions; now therefore be it

Resolved, That the Board of Education of Montgomery County conduct closed sessions on August 24, 2006, in Room 120 from 9:00 to 11:00 a.m. and 12:00 to 1:00 p.m.; and be it further

Resolved, That the Board of Education of Montgomery County

1.     Discuss the Human Resources Monthly Report, as permitted under Section 10-508(a)(1) of the *State Government Article*
2.     Conduct a portion of its closed sessions to discuss collective bargaining negotiations, as permitted under Section 10-508(a)(9) of the *State Government Article* and Section 4-107(d)(2)(ii) of the *Education Article*
3.     Receive legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*

and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed sessions on August 24, 2006, to acquit its executive functions and to adjudicate and review appeals, which is a quasi-judicial function outside the purview of the Open Meetings Act under Section 10-503(a) of the *State Government Article*; and be it further

Resolved, That the meeting continue in closed session until the completion of business.

RESOLUTION NO. 391-06Re: **APPROVAL OF THE AGENDA**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mrs. Navarro, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education approve its agenda for August 24, 2006.

Re: **RECOMMENDATION ON FORMER POLICY CNA –  
INFORMATIONAL MATERIAL AND  
ANNOUNCEMENTS**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was placed on the table:

WHEREAS, The United States Court of Appeals for the Fourth Circuit declared Board of Education Policy CNA, *Distribution of Informational Material and Announcements*, unconstitutional in certain respects on August 10, 2006; and

WHEREAS, Implementation of the policy was suspended on August 16, 2006, and information materials distributed to students are now limited to materials from the Montgomery County Public Schools (MCPS) and other government agencies; and

WHEREAS, The Board of Education is desirous of having a policy that provides for the distribution of flyers and informational materials to students in a manner that complies with the federal court decision; and

WHEREAS, Parent Teacher Associations (PTAs) and the Montgomery County Council of PTAs (MCCPTA) are affiliated with individual schools and the school system and are integral to the operation of the schools and the school system in support of the mission of the Board of Education; now therefore be it

Resolved, That the Board of Education refer to the Policy Committee the development of revisions to former Policy CNA, *Distribution of Informational Material and Announcements*, and that the committee consider the following components for inclusion in the revised policy:

- Distribution of flyers and other informational materials directly to students on

the first day of each of the school year's four grading periods, including the beginning of the school year, for all non-governmental community organizations and businesses and on tables/bulletin boards/display racks, as provided, at other times during the school year;

- Distribution of flyers and other informational materials by the schools, school system, other governmental agencies, individual school PTAs, and the MCCPTA, as in the past;

and be it further

Resolved, That the Policy Committee recommend policy revisions to former Policy CNA to the Board of Education for consideration and action at its earliest possible opportunity.

Re: **DISCUSSION**

Mrs. O'Neill read from the *Policy on Policysetting* to clarify the Board's process and the ability of the Board to waive the standard procedure of tentative approval, public comments, and final action on a policy. All members can unanimously agree to change a policy on an emergency basis. Mrs. O'Neill stated that the Board understood the impact of getting information to students at the beginning of the school year, especially PTA organizational information.

Ms. Ervin asked how the NAACP Parent Council fit into the recommended amendment. Mr. Larry Bowers, chief operating officer, replied that there are other parent organizations that the school system agrees should have the ability to communicate, and staff has worked with principals for those organizations that have a relationship with the schools. Furthermore, partnerships with the PTAs would offer distribution of flyers. Ms. Judith Bresler, general counsel, added that PTAs have a unique role and structure to support schools, and the PTA is very integrated in building partnerships with parents. Other organizations have alternate avenues for communication.

Mr. Abrams commended the staff and school system for the response. He also thanked Ms. Bresler for her communicating with groups in the development of the policy and the reassurance that MCPS will work with those groups. He thought this is a teaching tool for tolerance reflected in the First Amendment. The reason for the court's ruling was that the First Amendment is what it says it is – everyone has the right to free expression. The school system cannot limit that expression to those with access. The policy revision will need to be consistent with the court ruling with two avenues – open to everyone or closed to everyone. His first thought was – can we do both, and that is why he is supportive of the superintendent's recommendation. The full Board will convene on August 30, 2006, after the Policy Committee meets on the policy. If there are subsequent issues that arise, the policy can be changed.

Mrs. Navarro stated that it is her priority and intention to ensure there is a partnership with

parents and communication is always intact. It is a priority of the Board to have parents involved with their students through communication with the school system. There are other parent groups outside the PTA structure, and the communication with those groups needs to be preserved.

Dr. Haughey thought it was urgent to get the revision of the policy right the first time. The court has given the Board a difficult time with the decision and the time of year. He was going to propose two amendments to the resolution.

RESOLUTION NO. 392-06Re: **AN AMENDMENT TO THE RECOMMENDATION ON FORMER POLICY CNA - INFORMATIONAL MATERIAL AND ANNOUNCEMENTS**

On motion of Dr. Haughey and seconded by Mr. Abrams, the following resolution was adopted unanimously:

Resolved, That the Board of Education amend the language to read:

3. Distribution of flyers and other informational materials directly to students AT LEAST TWO TIMES A YEAR AT THE BEGINNING OF EACH SEMESTER ~~on the first day of each of the school year's four grading periods, including the beginning of the school year,~~ for all non-governmental community organizations and businesses and on tables/bulletin boards/display racks, as provided, at other times during the school year;

Re: **AN AMENDMENT TO THE RECOMMENDATION ON FORMER POLICY CNA - INFORMATIONAL MATERIAL AND ANNOUNCEMENTS**

On motion of Dr. Haughey and seconded by Mrs. O'Neill, the following resolution failed with Dr. Haughey and Mrs. O'Neill voting in the affirmative; Mr. Abrams, Ms. Ervin, Ms. Horvitz, and Mrs. Navarro voting in the negative:

Resolved, That the Board of Education amend the language to read:

4. A process for monitoring the range of materials and the extent of distribution required;

RESOLUTION NO. 393-06Re: **RECOMMENDATION ON FORMER POLICY CNA - INFORMATIONAL MATERIAL AND ANNOUNCEMENTS**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution, as amended, was unanimously adopted by

members present:

WHEREAS, The United States Court of Appeals for the Fourth Circuit declared Board of Education Policy CNA, *Distribution of Informational Material and Announcements*, unconstitutional in certain respects on August 10, 2006; and

WHEREAS, Implementation of the policy was suspended on August 16, 2006, and information materials distributed to students are now limited to materials from the Montgomery County Public Schools (MCPS) and other government agencies; and

WHEREAS, The Board of Education is desirous of having a policy that provides for the distribution of flyers and informational materials to students in a manner that complies with the federal court decision; and

WHEREAS, Parent Teacher Associations (PTAs) and the Montgomery County Council of PTAs (MCCPTA) are affiliated with individual schools and the school system and are integral to the operation of the schools and the school system in support of the mission of the Board of Education; now therefore be it

Resolved, That the Board of Education refer to the Policy Committee the development of revisions to former Policy CNA, *Distribution of Informational Material and Announcements*, and that the committee consider the following components for inclusion in the revised policy:

- Distribution of flyers and other informational materials directly to students at least two times a year at the beginning of each semester for all non-governmental community organizations and businesses and on tables/bulletin boards/display racks, as provided, at other times during the school year;
- Distribution of flyers and other informational materials by the schools, school system, other governmental agencies, individual school PTAs, and the MCCPTA, as in the past;

and be it further

Resolved, That the Policy Committee recommend policy revisions to former Policy CNA to the Board of Education for consideration and action at its earliest possible opportunity.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

Person

Topic

1. Jane de Winter CNA Policy
2. Jane Hall CNA Policy
3. Deborah Stoll CNA Policy/Grading and Reporting
4. Jennifer Gruber CNA Policy
5. Bonnie Malkin Grading and Reporting
6. Kathy Orourke CNA Policy
7. Dayana Ingrassia CNA Policy
8. Crystal Devance-Wilson CNA Policy
9. Robyn Solomon CNA Policy
10. Nora Cartland CNA Policy
11. Valerie Rivers CNA Policy
12. Sue Immerman CNA Policy
13. Caitlin Hendel CNA Policy
14. Martha Schaerr CNA Policy
15. Elizabeth Toby CNA Policy

Mrs. O'Neill raised the question about booster clubs and educational foundations and their inclusion or exclusion from the policy.

Mr. Abrams asked for information about the use of the church for Advanced Placement testing and the accommodations that are made for students as evidenced by testimony.

Mr. Abrams asked staff to evaluate the venues for graduations since there is a need to accommodate schools with large graduating classes and the students' relatives.

**RESOLUTION NO. 394-06Re: CONTRACTS OF \$25,000 OR MORE**

On recommendation of the Superintendent and on motion of Ms. Ervin seconded by Mr. Abrams, the following resolution was adopted unanimously by members present:#

WHEREAS, Funds have been budgeted for the purchase of equipment, supplies, and contractual services; and

WHEREAS, Funds have been budgeted and/or identified for the lease/purchase of a new copier through Bid No. 4139.1, Copier Systems; and

WHEREAS, The acquisition of two new copiers has been reviewed by legal counsel; now therefore be it

Resolved, That the purchase of two new copiers in the amount of \$39,931 be lease/purchased for a five-year term under the Master Lease/Purchase Agreement with Carlyle Financial Services; and be it further

Resolved, That the proceeds from the financing be used to reimburse Montgomery County Public Schools' accounts to the extent that such equipment will be acquired before closing; and be it further

Resolved, That the Board president and superintendent be authorized to execute the documents necessary for these transactions; and be it further

Resolved, That having been duly advertised, the following contracts be awarded to the low bidders meeting specifications as shown below:

1032.2	Legal Services—Extension		
	<u>Awardees</u> (see note)		
	Knight, Manzi, Nussbaum and LaPlaca, PA		
	Jeffrey A. Krew, LLC		
	Reese and Carney, LLP		
	Total		\$ 600,000
1056.2	Unemployment Insurance Cost Control Program—Extension		
	<u>Awardee</u>		
	Unemployment Tax Service, Inc.		\$ 25,000
1061.2	Software Training Services		
	<u>Awardee</u>		
	Learning Tree International		\$ 72,000
1131.6	Alcohol/Drug Testing Program Services		
	<u>Awardees</u> (See note)		
	American Business Medical Services*		
	Medical Access, PC*		
	Prudential Associates		
	Secure Medical Care*		
	Total		\$ 80,000
4079.8	Computer Supplies		
	<u>Awardees</u>		
	American Toner Products, Inc.*		\$ 1,424
	B & H Photo Video Pro Audio, Inc.		1,447
	Best Computer Supplies		318,221

	Business Stationers	7,611	
	Carolina Imaging Products*		14,274
	Global Government Educational Solutions		17,088
	Infoserve Technologies Corporation*		2,088
	M & B Supplies, Inc.		445,656
	Pyramid School Products		21,462
	Quill Corporation		721
	Smith Office and Computer Supply		422,636
	Standard Stationery Supply Company		3,022
	Tree House, Inc.*		8,770
	Total		<u>\$1,264,420</u>
4102.3	Recycled Toner Cartridges		
	<u>Awardee</u>		
	PS Data Supply		\$ 93,696
4138.1	Copier Systems		
	<u>Awardee</u>		
	BCE Corporation*		\$ 39,931
4171.1	Special Education/Early Intervention System—Extension		
	<u>Awardee</u>		
	4GL School Solutions, Inc.	\$ 210,000	
4174.1	Web-Based Parent Outreach Application—Extension		
	<u>Awardee</u>		
	Edline	\$ 190,000	
4176.1	Trading Room Project—Extension		
	<u>Awardee</u>		
	Trans-Lux Corporation		\$ 28,640
4868.1	Bulbs and Lamps		
	<u>Awardee</u>		
	C.N. Robinson Lighting Supply Company		\$ 448,688
7033.5	Studio Television Equipment—Extension		

	<u>Awardees</u>	
	Crest AV Electronic, Inc.*	\$ 892
	CTL Communications Televideo, Ltd*	31,889
	Kunz, Inc.*	10,339
	Professional Products	2,208
	Visual Interactive Dynamics*	13,078
	Washington Professional Systems	<u>74,375</u>
	Total	\$ 132,781
7078.2	HVAC Filters and Services—Extension	
	<u>Awardee</u>	
	Consolidated Safety Services, Inc.	\$ 219,340
7129.1	Poster Printer and Supplies—Extension	
	<u>Awardee</u>	
	Signature Presentation Products	\$ 56,533
9005.3	Shade/Upholstery Material—Extension	
	<u>Awardees</u>	
	Crown Shade Company	\$ 129,721
	Dymalon, Inc.*	4,081
	Frankel Associates, Inc.	38,130
	Loktite, Inc.	3,304
	Mileham & King, Inc.	4,465
	Tedco Industries, Inc.	<u>16,609</u>
	Total	\$ 196,310
9007.4	Glass and Glazing Materials—Extension	
	<u>Awardees</u>	
	Gardner Glass Products	\$ 36,505
	Glass Distributors, Inc.*	33,757
	Hawkins Glass Company	736
	Maryland Glass and Mirror Company	31,275
	Total Plastics, Inc.	<u>46,465</u>
	Total	\$ 148,738
9027.2	Tree Removal Service—Extension	
	<u>Awardees</u> (See note)	
	Davey Tree Expert Company	

	Mead Tree and Turf Care, Inc.		
	Total		\$ 120,000
9053.4	Playground Equipment		
	<u>Awardees</u>		
	Playground Specialist		\$ 129,874
	West Recreation, Inc.		<u>137,308</u>
	Total		\$ 267,182
9404.1	Kitchen Equipment For Hospitality Labs		
	<u>Awardee</u>		
	Take Two Unlimited	\$ 72,167	

TOTAL PROCUREMENT CONTRACTS OVER \$25,000 \$4,265,426

\* Denotes Minority-, Female-, or Disabled-owned Business

Note: Contract amounts will be based on individual requirements.

RESOLUTION NO. 395-06Re: **AWARD OF CONTRACT—THURGOOD MARSHALL AND  
FAIRLAND ELEMENTARY SCHOOLS  
GYMNASIUMS**

On recommendation of the Superintendent and on motion of Ms. Ervin seconded by Mr. Abrams, the following resolution was adopted unanimously by members present:#

WHEREAS, The following sealed bids were received on July 6, 2006, for the Thurgood Marshall and Fairland elementary schools' gymnasium projects:

<u>Bidder</u>	<u>Thurgood Marshall ES</u>	<u>Fairland ES</u>	<u>Combined Bid</u>
Capitol Technology Services, Inc.	\$1,262,000	\$1,251,000	\$2,513,000
Tuckman-Barbee Construction Company, Inc.	\$1,314,910	\$1,317,789	\$2,632,699
Keller Brothers, Inc.	\$1,335,000	\$1,388,000	\$2,723,000
Meridian Construction			

Company, Inc.	\$1,476,000	No Bid	N/A
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and

WHEREAS, The low bidder, Capitol Technology Services, Inc., a female-owned business, has submitted 9 percent Maryland Department of Transportation (MDOT)-certified Minority Business Enterprise (MBE) participation, of which 2.1 percent is female and 6.9 percent is other MDOT-certified; and

WHEREAS, Capitol Technology Services, Inc., also has submitted 14.7 percent non-MDOT-certified minority participation; and

WHEREAS, The state minority business requirements for school construction projects stipulate that only MDOT-certified minority businesses can be used to satisfy the state MBE goal of 25 percent; and

WHEREAS, Capitol Technology Services, Inc., has submitted a waiver for the balance of the MDOT-certified MBE participation; and

WHEREAS, Department of Facilities Management staff has reviewed and certified that the waiver meets the contract requirements and recommends waiving the remaining balance of the MDOT-certified MBE participation; and

WHEREAS, Capitol Technology Services, Inc., has completed similar work successfully for other jurisdictions; now therefore be it

Resolved, That a \$2,513,000 contract be awarded to Capitol Technology Services, Inc., for the Thurgood Marshall and Fairland elementary schools' gymnasium projects, in accordance with drawings and specifications prepared by Grimm and Parker Architects, P.C.

**RESOLUTION NO. 396-06Re: AWARD OF CONTRACTS—RICHARD MONTGOMERY HIGH SCHOOL REPLACEMENT**

On recommendation of the Superintendent and on motion of Ms. Ervin seconded by Mr. Abrams, the following resolution was adopted unanimously by members present:#

WHEREAS, On August 25, 2005, the Board of Education awarded a contract to Bovis Lend Lease, Inc., to provide general conditions and construction management services for the Richard Montgomery High School replacement facility; and

WHEREAS, The following low bids were received on August 3, 2006, for the specified trades:

<u>Bidder</u>	<u>Amount</u>
Landscaping Phase I: Denison Landscaping, Inc.	\$292,299
Ceramic Tile: Lach Tile & Marble, Inc.	163,384
Resilient Flooring: PCM Construction, Inc., t/a Surface Solutions	628,600
Wood Flooring: Master Care Flooring, Inc.	179,888
Painting: J.A. Argetakis Contracting Company, Inc.	670,000
Toilet Partitions, Accessories, and Lockers: Steel Products, Inc.	666,666

and

WHEREAS, The Minority Business Enterprise participation will be reported at the completion of all bid activity for this project: and

WHEREAS, The low bidders have completed similar work successfully for the Montgomery County Public Schools; now therefore be it

Resolved, That contracts be awarded to the above-mentioned contractors for the amounts listed for the Richard Montgomery High School replacement facility, in accordance with drawings and specifications prepared by SHW Group, LLP.

**RESOLUTION NO. 397-06Re: CHANGE ORDER OVER \$100,000 — ALBERT EINSTEIN HIGH SCHOOL**

On recommendation of the Superintendent and on motion of Ms. Ervin seconded by Mr. Abrams, the following resolution was adopted unanimously by members present:#

WHEREAS, The existing energy management system (EMS) for Albert Einstein High School is no longer being manufactured and cannot be easily repaired; and

WHEREAS, A new EMS will enable the Department of Facilities Management to upgrade the entire building to a Web-based system that is more cost effective to manage and will provide greater energy savings than the existing system; and

WHEREAS, The architect and staff negotiated an equitable cost proposal with the contractor to complete this work; now therefore be it

Resolved, That the Board of Education approve a change order to the contract with Keller Brothers, Inc., in the amount of \$247,860 for the energy management system replacement at Albert Einstein High School.

**RESOLUTION NO. 398-06Re: AWARD OF CONTRACT — COLLEGE GARDENS ELEMENTARY SCHOOL**

On recommendation of the Superintendent and on motion of Ms. Ervin seconded by Mr. Abrams, the following resolution was adopted unanimously by members present:#

WHEREAS, Sealed bids were received for various packages on August 2, 2006, for the College Gardens Elementary School modernization project; and

WHEREAS, Staff has recommended that the modernization of College Gardens Elementary School be completed using a construction management delivery system due to the project's complexities; and

WHEREAS, A Consultant Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified Dustin Enterprises, Inc., as the most qualified firm to provide the necessary management services; and

WHEREAS, The following low bids were received on August 2, 2006, for the specified trades for the modernization of College Gardens Elementary School:

<u>Bidder</u>	<u>Amount</u>
Site work and Demolition: Pleasants Construction, Inc.	\$2,864,600
Concrete: Sody Concrete Construction, Inc.	899,500
Masonry: KaRon Masonry of Maryland, Inc.	2,231,000
Steel: S.A. Halac Iron Works, Inc.	1,806,000
Mechanical: C&H Mechanical Corporation	3,761,600
Electrical: New Spectrum Electric, Inc.	1,683,775

and

WHEREAS, The low bidders have submitted a combined 12 percent Maryland Department of Transportation (MDOT)-certified Minority Business Enterprise (MBE) participation, of which 7.4 percent is African American, 3.6 percent is female-owned, and 1 percent is other minority; and

WHEREAS, The low bidders also have submitted 9.6 percent non-MDOT-certified minority participation; and

WHEREAS, The state minority business requirements for school construction projects stipulate that only MDOT-certified minority businesses can be used to satisfy the state MBE goal of 25 percent; and

WHEREAS, Waiver requests for the balance of the MBE participation have been received; and

WHEREAS Department of Facilities Management staff has reviewed and certified that the

waivers meet the contract requirements and recommends waiving the remaining balance of the MDOT-certified MBE participation; and

WHEREAS, The construction management contract contains provisions that permit the Montgomery County Public Schools to assign the trade contracts that are awarded by the Board of Education to the construction manager, Dustin Enterprises, Inc., as part of the guaranteed price agreement to complete the modernization; and

WHEREAS, Staff has negotiated a guaranteed price of \$19,643,993 with Dustin Enterprises, Inc., that includes the assignment of the listed trade work bid by MCPS, contractual work bid by Dustin Enterprises, Inc., and construction management/general conditions costs; now therefore be it

Resolved, That the following contract packages be awarded to the low bidders for the College Gardens Elementary School modernization:

<u>Bidder</u>	<u>Amount</u>
Site work and Demolition: Pleasants Construction, Inc.	\$2,864,600
Concrete: Sody Concrete Construction, Inc.	899,500
Masonry: KaRon Masonry of Maryland, Inc.	2,231,000
Steel: S.A. Halac Iron Works, Inc.	1,806,000
Mechanical: C & H Mechanical Corporation	3,761,600
Electrical: New Spectrum Electric, Inc.	1,683,775

and be it further

Resolved, That the trade contracts awarded for the College Gardens Elementary School modernization project be assigned to Dustin Enterprises, Inc.; and be it further

Resolved, That a \$19,643,993 contract be awarded to Dustin Enterprises, Inc., for the modernization of College Gardens Elementary School, in accordance with drawings and specifications prepared by Robert J. Glaser & Associates, P.A.

**RESOLUTION NO. 399-06Re: ARCHITECTURAL APPOINTMENT — BELLS MILL ELEMENTARY SCHOOL MODERNIZATION**

On recommendation of the Superintendent and on motion of Ms. Ervin seconded by Mr. Abrams, the following resolution was adopted unanimously by members present:#

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Bells Mill Elementary School modernization; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$18,900,000; and

WHEREAS, Funds for this architectural planning were programmed as part of the FY 2007 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, selected Walton, Madden, Cooper, Robinson, Poness, Inc., as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for the necessary architectural services that includes three Maryland Department of Transportation-certified minority-owned consultants; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Walton, Madden, Cooper, Robinson, Poness, Inc., to provide professional architectural and engineering services for the Bells Mill Elementary School modernization for a fee of \$672,500.

RESOLUTION NO. 400-06Re:     **ARCHITECTURAL APPOINTMENT – PAINT BRANCH  
HIGH SCHOOL MODERNIZATION**

On recommendation of the Superintendent and on motion of Ms. Ervin seconded by Mr. Abrams, the following resolution was adopted unanimously by members present:#

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Paint Branch High School modernization; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$71,800,000; and

WHEREAS, Funds for this architectural planning were programmed as part of the FY 2007 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, selected Moseley Architects, P.C., as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for the necessary architectural services that includes a Maryland Department of Transportation-certified minority-owned consultant; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Moseley Architects, P.C., to provide professional architectural and engineering services for the Paint Branch High School modernization for a fee of \$3,975,000.

**RESOLUTION NO. 401-06Re: ARCHITECTURAL APPOINTMENT — STEDWICK  
ELEMENTARY SCHOOL CLASSROOM ADDITION**

On recommendation of the Superintendent and on motion of Ms. Ervin seconded by Mr. Abrams, the following resolution was adopted unanimously by members present:#

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Stedwick Elementary School classroom addition; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$6,900,000; and

WHEREAS, Funds for this architectural planning were programmed as part of the FY 2007 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, selected Cochran, Stephenson, & Donkervoet, Inc., as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for the necessary architectural services; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Cochran, Stephenson, & Donkervoet, Inc., to provide professional architectural and engineering services for the Stedwick Elementary School classroom addition for a fee of \$545,500.

**RESOLUTION NO. 402-06Re: ARCHITECTURAL APPOINTMENT — STRATHMORE  
ELEMENTARY SCHOOL GYMNASIUM**

On recommendation of the Superintendent and on motion of Ms. Ervin seconded by Mr. Abrams, the following resolution was adopted unanimously by members present:#

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Strathmore Elementary School gymnasium addition; and



Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Zavos Architecture + Design to provide professional architectural and engineering services for the Travilah Elementary School classroom addition for a fee of \$360,510.

RESOLUTION NO. 404-06Re: **ARCHITECTURAL APPOINTMENT — WASHINGTON GROVE ELEMENTARY SCHOOL CLASSROOM ADDITION**

On recommendation of the Superintendent and on motion of Ms. Ervin seconded by Mr. Abrams, the following resolution was adopted unanimously by members present:#

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Washington Grove Elementary School classroom addition; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$11,700,000; and

WHEREAS, Funds for this architectural planning were programmed as part of the FY 2007 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, selected Zavos Architecture + Design as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for the necessary architectural services that includes one minority-owned consultant; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Zavos Architecture + Design to provide professional architectural and engineering services for the Washington Grove Elementary School classroom addition for a fee of \$877,138.

RESOLUTION NO. 405-06Re: **ARCHITECTURAL APPOINTMENT — LUXMANOR ELEMENTARY SCHOOL CLASSROOM ADDITION**

On recommendation of the Superintendent and on motion of Ms. Ervin seconded by Mr. Abrams, the following resolution was adopted unanimously by members present:#

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Luxmanor Elementary



On recommendation of the Superintendent and on motion of Ms. Ervin seconded by Mr. Abrams, the following resolution was adopted unanimously by members present:#

WHEREAS, The above-noted grants qualify for a transfer of appropriation from the Provision for Future Supported Projects, pursuant to the provisions of County Council Resolution No. 15-631, approved May 27, 2006; and

WHEREAS, The above-noted projects do not require any present or future county funds; and

WHEREAS, Sufficient appropriation is available, within the FY 2007 Provision for Future Supported Projects, to permit the above-noted transfers within state categories; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend, within the FY 2007 Provision for Future Supported Projects, as specified below:

<u>Project</u>	<u>Amount</u>
Bridge Lawn Care Agreement	\$ 15,000
Individuals with Disabilities Education Act—Early Intervention	98,233
Emotional Disabilities Cluster Model Project	185,000
Individuals with Disabilities Education Act—Transition, Drop Out, and Graduation Gap Project	<u>40,000</u>
 Total	 <u>\$ 338,233</u>

and be it further

Resolved, That a copy of this resolution be sent to the county executive and County Council.

**RESOLUTION NO. 408-06Re: RECOMMENDED FY 2007 SUPPLEMENTAL  
APPROPRIATION FOR THE AGING SCHOOL  
PROGRAM**

On recommendation of the Superintendent and on motion of Ms. Ervin seconded by Mr. Abrams, the following resolution was adopted unanimously by members present:#

WHEREAS, The FY 2007 Operating Budget includes appropriation authority for the projected funding levels MCPS was scheduled to receive from the state for the Aging School Program for eligible maintenance repairs; and

WHEREAS, Additional funds were approved for the FY 2007 program that increased the MCPS allocation by the state at the end of FY 2006, after the FY 2007 Operating Budget was approved by the County Council; and

WHEREAS, The appropriation authority for the increased ASP allocation must be approved by the County Council so MCPS can expend these funds; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend an FY 2007 supplemental appropriation of \$360,171 from the Maryland Interagency Committee on School Construction (IAC) for the Aging School Program.

<u>Category</u>	<u>Amount</u>
11 Maintenance of Plant	<u>\$360,171</u>
Total	<u>\$360,171</u>

and be it further

Resolved, That a copy of this resolution be sent to the county executive and County Council; and be it further

Resolved, That the county executive be requested to recommend approval of this resolution to the County Council.

**RESOLUTION NO. 409-06Re: HUMAN RESOURCES MONTHLY REPORT**

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by Ms. Ervin, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education approve the Human Resources Monthly Report dated August 24, 2006.

**RESOLUTION NO. 410-06Re: DEATH OF MR. THOMAS M. KENGLA, BUILDING SERVICE WORKER (ICB), SHERWOOD HIGH SCHOOL**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mrs. Navarro, the following resolution was adopted unanimously by members present:

WHEREAS, The death on June 2, 2006, of Mr. Thomas M. Kengla, building service worker (ICB) at Sherwood High School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the one and one-half years that Mr. Kengla worked for Montgomery County Public Schools, he demonstrated exceptional competence as a building service worker; and

WHEREAS, Mr. Kengla's excellent human relations skills, as well as his patience and understanding, made him a valuable employee; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Thomas M. Kengla and extend deepest sympathy to his family; and be it further

Resolved, That this resolution be made a part of the minutes of this meeting and a copy be forwarded to Mr. Kengla's family.

**RESOLUTION NO. 411-06Re: DEATH OF MS. LAUREL J. PULLER, TEACHER, GRADE 2, WELLER ROAD ELEMENTARY SCHOOL**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted unanimously by members present:

WHEREAS, The death on June 10, 2006, of Ms. Laurel J. Puller, classroom teacher at Weller Road Elementary School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the more than five years that Ms. Puller worked for Montgomery County Public Schools, she was an outstanding teacher who was highly respected by her colleagues and very dedicated to her students; and

WHEREAS, Ms. Puller was always willing to be helpful and shared responsibility for the total school program, making her an asset to the school system; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Laurel J. Puller and extend deepest sympathy to her family; and be it further

Resolved, That this resolution be made a part of the minutes of this meeting and a copy be forwarded to Ms. Puller's family.

**RESOLUTION NO. 412-06Re: DEATH OF MS. DIANE F. BAUER, PARAEDUCATOR,  
DIAMOND ELEMENTARY SCHOOL**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted unanimously by members present:

WHEREAS, The death on June 21, 2006, of Ms. Diane F. Bauer, paraeducator at Diamond Elementary School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, Ms. Bauer was very generous with her time and talent and understood the needs of young children, making her a valuable asset to Montgomery County Public Schools; and

WHEREAS, In the more than 15 years with Montgomery County Public Schools, Ms. Bauer's remarkable leadership skills, energy, enthusiasm, and her outstanding human relations skills exceeded expectations, making a positive difference in many ways; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Diane F. Bauer and extend deepest sympathy to her family; and be it further

Resolved, That this resolution be made a part of the minutes of this meeting and a copy be forwarded to Ms. Bauer's family.

**RESOLUTION NO. 413-06Re: DEATH OF MR. JEFFREY L. SCARBOROUGH,  
CONSTRUCTION INSPECTION SUPERVISOR,  
DIVISION OF CONSTRUCTION**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mrs. Navarro, the following resolution was adopted unanimously by members present:

WHEREAS, The death on July 3, 2006, of Mr. Jeffrey L. Scarborough, Construction Inspection Supervisor, Division of Construction, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the two and a half years that Mr. Scarborough was employed with Montgomery County Public Schools, he exhibited considerable knowledge of the aspects of his position; and

WHEREAS, Mr. Scarborough always demonstrated a positive attitude and a willingness to learn, which made him a valuable employee; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools

express their sorrow at the death of Jeffrey L. Scarborough and extend deepest sympathy to his family; and be it further

Resolved, That this resolution be made a part of the minutes of this meeting and a copy be forwarded to Mr. Scarborough's family.

**RESOLUTION NO. 414-06Re: DEATH OF MR. LEONARD E. CAVE, RESOURCE  
TEACHER, NORTHWEST HIGH SCHOOL**

On recommendation of the Superintendent and on motion of Dr. Haughey seconded by Mrs. Navarro, the following resolution was adopted unanimously by members present:

WHEREAS, The death on July 10, 2006, of Mr. Leonard E. Cave, resource teacher at Northwest High School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the twenty years that Mr. Cave worked for Montgomery County Public Schools, he was known as a highly respected staff member and a very skilled artist, and the students of Northwest High School viewed him as a competent, caring adult; and

WHEREAS, Mr. Cave was a true professional who took pride in his work, demonstrated a genuine interest in his students, and worked hard to improve the school's image via student art shows and displays; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Leonard E. Cave and extend deepest sympathy to his family; and be it further

Resolved, That this resolution be made a part of the minutes of this meeting and a copy be forwarded to Mr. Cave's family.

**RESOLUTION NO. 415-06Re: DEATH OF MR. RICHARD J. PEPE, PARAEDUCATOR,  
SPECIAL EDUCATION, FAIRLAND ELEMENTARY  
SCHOOL**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mrs. Navarro, the following resolution was adopted unanimously by members present:

WHEREAS, The death on July 10, 2006, of Mr. Richard J. Pepe, paraeducator, special education, Fairland Elementary School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In more than seven years that Mr. Pepe worked for Montgomery County Public Schools, he was a dependable employee and a valuable asset to his colleagues; and

WHEREAS, Mr. Pepe displayed a good rapport with staff and students and was always willing to accept extra responsibilities and provided excellent support for the teachers with whom he worked; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Richard J. Pepe and extend deepest sympathy to his family; and be it further

Resolved, That this resolution be made a part of the minutes of this meeting and a copy be forwarded to Mr. Pepe's family.

**RESOLUTION NO. 416-06Re: DEATH OF MS. JANE L. HYLAND, MEDIA ASSISTANT, ROCK TERRACE SCHOOL**

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by Mrs. Navarro, the following resolution was adopted unanimously by members present:

WHEREAS, The death on July 14, 2006, of Ms. Jane L. Hyland, media assistant at Rock Terrace School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the 36 years that Ms. Hyland worked for Montgomery County Public Schools, she was a conscientious, dedicated employee who was committed to her students and sensitive to the needs of all people; and

WHEREAS, Ms. Hyland was always known as someone who set high expectations for herself and others and showed a sincere interest in her position, making her an asset to the school system; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Jane L. Hyland and extend deepest sympathy to her family; and be it further

Resolved, That this resolution be made a part of the minutes of this meeting and a copy be forwarded to Ms. Hyland's family.

**RESOLUTION NO. 417-06Re: DEATH OF MS. LOIS A. BAUGHMAN, FISCAL ASSISTANT I, DIVISION OF ESOL PROGRAMS**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted unanimously by members present:

WHEREAS, The death on July 18, 2006, of Ms. Lois A. Baughman, Fiscal Assistant I, Division of ESOL Programs, has deeply saddened the staff, students, and members of the

Board of Education; and

WHEREAS, In the 24 years that Ms. Baughman worked for Montgomery County Public Schools, she was highly regarded by her colleagues and the ESOL supervisory staff for her consistent, calm demeanor which made her a true asset to the Division of ESOL Programs; and

WHEREAS, Ms. Baughman was truly an outstanding employee who recently received the Superintendent's Above and Beyond the Call to Duty award; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Lois A. Baughman and extend deepest sympathy to her family; and be it further

Resolved, That this resolution be made a part of the minutes of this meeting and a copy be forwarded to Ms. Baughman's family.

**RESOLUTION NO. 418-06Re: HUMAN RESOURCES APPOINTMENTS**

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by Ms. Ervin, the following resolution was adopted unanimously by members present:

Resolved, That the following personnel appointments be approved effective August 25, 2006:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Joel Smetanka	Instructional Specialist	Supervisor, Professional Development Online System
Denise Stultz	Coordinator, Special Initiatives	Supervisor, Division of Family and Community Partnerships

**Re: LUNCH AND CLOSED SESSION**

The Board of Education recesses from 12:50 to 2:05 p.m. for lunch and closed session.

\*\* Mr. Abrams left the meeting.

**Re: READINESS FOR OPENING OF SCHOOLS**

Dr. Weast reported that the staff was ready to open schools, and MCPS is looking forward to welcoming 139,000 students. He stated that there was an equivalent to a "new cluster" of buildings that have opened throughout the county – high school, middle school, and seven elementary schools. MCPS has the first LEEDs school in the state of Maryland

since they are geothermal, recycled materials, water conservation, and natural light distribution. Portables have been reduced by 112, and Dr. Weast planned to recommend in November a fifty percent reduction in portables. Mr. John Q. Porter will describe the use of technology, Dr. Lacey has an supervisory model, and Mr. Bowers will remark on facilities and operations. Dr. Weast applauded the staff in the field who have worked hard to ensure that the opening of schools went as smoothly as possible.

Mr. Larry Bowers reported that there were 14 major capital projects in addition to the five schools that are opening or reopening. Furthermore, there are 100 Planned Life-cycle Asset Replacement (PLAR) projects at different schools. All-day kindergarten requires more classrooms and equipment, and the schools are ready. There is a new centralized copying service for schools. Finally, transportation services were conducting trial runs today, and staff has called all special education parents to assure that pick-up and drop-off points are correct.

Dr. Frieda Lacey thought the tone for the year was set with the administrators meeting and the message that everyone is to remain focused, attain strategic plan goals, continue rigor at all levels, and monitor systemically African-American and Hispanic students. The initiatives continue with grading and reporting, high school literacy coaches, summer school and course recovery credit, and test-taking preparation. She added that the Board's Policy Committee is working on a middle school policy.

Mr. John Q. Porter commented that staff had been working on professional development, upgrading and increasing technology, and accountability in testing and research.

Re: **DIALOGUE ON CURRENT ISSUES: GIRLS IN  
INFORMATION TECHNOLOGY TASK FORCE  
REPORT**

Dr. Weast Invited the following people to the table: Ms. Anne Albright, business unit executive, IBM; Ms. Shan Carr Cooper, vice president, Diversity and Equal Opportunity Program, Lockheed Martin; Ms. Nancy Floreen, Montgomery County Council Member and IT Task Force Chair; Ms. Shelley A. Johnson, director, Division of Career and Technology Education; and Ms. Diane Murray, principal, Booz Allen Hamilton, Inc.

In March 2005, the Montgomery County Commission for Women requested that MCPS convene a Girls in IT Task Force to address the crisis involving the national, state, and regional shortage of women entering IT-related career fields and the lack of female enrollment in MCPS technology programs. The Girls in IT Task Force was charged with the following responsibilities:

- Recommend strategies for increasing the participation of girls in IT-related programs.
- Communicate task force recommendations in the form of a report to be

presented to the Montgomery County Board of Education in summer 2006.

The Girls in IT Task Force is a multi-stakeholder group chaired by Ms. Nancy Floreen, member, Montgomery County Council, and vice-chaired by Ms. Carroll McGillin, National Initiatives Manager, Cisco Networking Academy Program, Cisco Systems, Inc. The Girls in IT Task Force met regularly to review and discuss research, explore model programs and best practices, and develop a technology agenda for K-12. A steering committee, representative of the make-up of the Girls in IT Task Force, guided the direction and monitored the progress of the group.

The Girls in IT Task Force identified the following three major issues and developed corresponding project teams to conduct research and develop recommendations:

- Marketing and Recruiting
- Retention and Culture Building
- Curriculum and Professional Development

The Girls in IT Task Force developed the following set of recommendations to ensure that girls and underrepresented populations within MCPS are prepared to enter the workforce with critical IT skills:

#### Marketing and Recruiting

Create a comprehensive marketing plan to raise the awareness of parents/guardians and educators that the skills and talents of girls are vital to technology-related professions.

#### Retention and Culture Building

Create and expand articulated and integrated IT programs over stand-alone courses.

Develop options to provide culture-building and supportive experiences.

#### Curriculum and Professional Development

Partner with business and higher education to create a seamless K-16 educational system that aligns curriculum and requires technology-related units or course work by all K-12 students by 2010.

To ensure success for the issues related to the three project teams, the task force suggests the following next steps:

1. Involve additional stakeholders to further develop and implement the recommendations.

2. Develop a plan during the 2006–2007 school year to address the task force recommendations that includes a timeline, budget, and implementation activities, maintaining focus on scalability and sustainability.
3. Conduct an audit of MCPS curriculum to determine where technology instruction already exists, and complete a gap analysis plan for addressing areas of deficit.
4. Collect baseline data for current IT-related program and course enrollment. Institute an accountability and review system to identify “what success looks like” and measure progress.
5. Plan and launch “rapid prototypes” (pilots) of several research-based IT-focused initiatives, leveraging existing programs and resources as well as monitoring success.

**Re: DISCUSSION**

Ms. Ervin thought this was an important presentation. She wanted to know the number of girls in IT programs. What does IT mean? How does the small number of girls in IT mirror the achievement gap with children of color? How do we make technology relevant to girls?

Ms. Johnson pointed out an appendix with a spread sheet with the data on classes and enrollment. Many of the courses are focused on programming of computers. The focus is technology as a tool for their lives – career and personal.

Dr. Weast exchanged dialogue with the task force on encouraging girls to take IT courses. Members thought it was important for the parents to understand and show the relevance of IT courses. Furthermore, girls need to understand that technology can be very creative and tailored to their interests.

Mrs. O'Neill pointed out that there is a “yearbook camp.” Since she has been on the Board, she has tried to get technology credit for journalism students. There are a lot of girls in those classes, and those classes are based on creativity and teamwork using technology. There has to be a way to trigger and inspire students to take technology courses since it is a tool of the future.

Mrs. Navarro was impressed by the caliber of the women on the task force. She ran for the Board to encourage courses that would prepare students to compete in the global economy. She asked the superintendent what were the next steps and was there a timeline. Dr. Weast replied that the school system embraced the report and would work to operationalize the recommendations. He thought it would fit into the middle school reform.

**Re: UPDATE ON HUMAN RESOURCES**

Dr. Weast invited the following people to the table: Mr. Larry A. Bowers, chief operating officer; Ms. Susan F. Marks, associate superintendent, Office of Human Resources; Mr. Donald H. Kress, chief school performance officer, Office of School Performance; Ms. Bonnie Cullison, president, Montgomery County Education Association; Mrs. Merle Cuttitta, president, SEIU Local 500; and Dr. Rebecca Newman, president, Montgomery County Association of Administrative and Supervisory Personnel.

Over the last seven years, the Board of Education has overseen a reform effort to place quality employees in every position in order to ensure that our students achieve at high levels and are competitive in a global society. The reform effort continues to be focused on recruiting and retaining a high quality, diverse workforce for all schools, support units, and offices; providing employees with competitive salaries, wages, and benefits; expanding employee skills and expertise through professional growth and staff development; and implementing rigorous evaluation standards and expectations, including a nationally recognized model for peer assistance and review. Together, these efforts are part of an organizational culture of respect and encouragement for each of the more than 21,000 women and men who work for Montgomery County Public Schools (MCPS). They are the backbone of our school system. Consequently, efforts to provide a world-class educational program are largely realized through their talents, hard work, and commitment. This is enhanced by a highly productive partnership and collaborative leadership with employee representative organizations in strategic planning, budgeting, and the implementation of programs that support excellence in teaching and learning. The Board of Education will continue to receive detailed updates on organizational development initiatives. The discussion focused on current hiring data and strategies to recruit and retain the very best employees in a highly competitive marketplace.

**Re: BOARD/SUPERINTENDENT COMMENTS**

Dr. Weast reported that the High School Assessment (HSA) scores were outstanding, especially African-American and Hispanic students. Furthermore, elementary students did well with the Maryland State Assessment (MSA) based on *No Child Left Behind Act*. Dr. Weast asked the Board to adopt a resolution asking for special testing for special education and Non-English speaking children. Mrs. O'Neill stated that there is legislation to make corrections in the *No Child Left Behind Act*. The Maryland Association of Boards of Education will come to the local education agencies to ask to support that legislation.

Ms. Horvitz reported that she met with other student Board members throughout the state, as well as attend the Maryland Leadership Workshop.

Mrs. Navarro commented that she visited the new teacher orientation, and it was an outstanding day.

Mrs. O'Neill remarked that she had the privilege to attend the National Schools Boards Presidents Retreat in Orlando.

**RESOLUTION NO. 419-06Re: CLOSED SESSION RESOLUTION**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Ms. Ervin, the following resolution was adopted unanimously by members present:

WHEREAS, The Board of Education of Montgomery County is authorized by the *Education Article* and *State Government Article of the Annotated Code of Maryland* to conduct certain meetings or portions of its meetings in closed sessions; now therefore be it

Resolved, That the Board of Education of Montgomery County conduct closed sessions on Tuesday, September 14, 2006, in Room 120 of the Carver Educational Services Center to meet from 9:00 to 10:00 a.m. and 12:00 to 2:00 p.m. to discuss personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article*; consult with counsel to obtain legal advice, as permitted by Section 10-508(a)(7) of the *State Government Article*; review and adjudicate appeals in its quasi-judicial capacity; and to discuss matters of an executive function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*); and be it further

Resolved, That such meetings shall continue in closed session until the completion of business.

**RESOLUTION NO. 420-06Re: REPORT OF CLOSED SESSION**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Ms. Ervin, the following resolution was adopted unanimously by members present:

On July 27, 2006, by unanimous vote of members present, the Board of Education voted to conduct a closed session as permitted under the *Education Article* § 4-107 and *State Government Article* § 10-501, *et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in closed session on July 27, 2006, from 6:10 to 7:10 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

16. Reviewed and considered the following appeals with a subsequent vote in open session in its quasi-judicial capacity outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*): 2006-19, 2006-24, 2006-25, 2006-26, 2006-27, 2006-30, 2006-33, NEC-2006-56, DCC-2006-57, NEC-2006-58, DCC-2006-60, T-2006-61, NEC-2006-62, DCC-2006-64, DCC-2006-71, and T-2006-74.
17. Reviewed and considered the following appeals in its quasi-judicial capacity outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*): 2006-28, 2006-31, 2006-32, 2006-34, and 2006-44.

18. Discussed the Human Resources Appointments with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
19. Received legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*.
20. Discussed matters of an executive function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*).

In attendance at the closed session were: Aggie Alvez, Steve Abrams, Larry Bowers, Judy Bresler, Patrick Clancy, Sharon Cox, Valerie Ervin, Charles Haughey, Sarah Horvitz, Roland Ikheola, Mark Kelsch, Kristin Koger, Frieda Lacey, Jody Leleck, George Margolies, Susan Marks, Nancy Navarro, Patricia O'Neill, John Q. Porter, Brian Porter, Lori Rogovin, Frank Stetson, Gabe Romero, Glenda Rose, and Jerry Weast.

RESOLUTION NO. 421-06Re: **APPEALS**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mrs. Navarro, the following resolution was adopted unanimously by members present:

WHEREAS, The Board of Education has met in closed session, and deliberated on appeals brought before its members acting in its quasi-judicial capacity under Section 10-503(a) of the *State Government Article*; now therefore be it

Resolved, That the Board of Education hereby decides the following appeals, reflective of the Board members' votes in closed session, the disposition of which shall be recorded in the minutes of today's meeting:

<u>Appeal Number</u>	<u>Type</u>	<u>Decision</u>
2006-28	Early Entrance into Kindergarten	Affirmed
2006-31	Admission to Magnet	Affirmed
2006-32	Early Entrance into Kindergarten	Affirmed
2006-34	Early Entrance into Kindergarten	Affirmed
2006-44	Teacher Dismissal	Dismissed
T-2006-55	Student Transfer	Affirmed
NEC-2006-65	Student Assignment	Affirmed
NEC-2006-66	Student Assignment	Affirmed
NEC-2006-68	Student Assignment	Affirmed
NEC-2006-69	Student Assignment	Affirmed
NEC-2006-70	Student Assignment	Affirmed
DCC-2006-73	Student Transfer	Affirmed
T-2006-75	Student Transfer	Reversed
DCC-2006-77	Student Assignment	Affirmed
T-2006-79	Student Transfer	Reversed

T-2006-80

Student Transfer

Affirmed

Re: **NEW BUSINESS**

There was no new business,

Re: **ITEMS OF INFORMATION**

The following information was available:

- 1. Legal Fees Report
- 2. Construction Progress Report
- 3. Minority-, Female-, or Disabled-owned Business Procurement Report for the Fourth Quarter of Fiscal Year 2006

RESOLUTION NO. 422-06 Re: **ADJOURNMENT**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mrs. Navarro, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education adjourn its meeting of August 24, 2006, at 4:40 p.m.

PRESIDENT

SECRETARY

JDW:gr

Resolution	Abrams	Cox	Ervin	Haughey	Horvitz	Navarro	O'Neill	Romero
Policy CNA	A	O	A	A	A	A	A	O

A = affirmative; N = negative; O = absent; AB = abstain

# MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

August 24, 2006

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